

1 The Honorable Franklin D. Burgess
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IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

9 BARRY CHRISTIANSON, et al.) Case No. 3:06-cv-05520-FDB
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11 Plaintiffs,)
12 v.) STIPULATION AND ORDER TO
13) CLARIFY SCHEDULE
14 MICHAEL O. LEAVITT, et al.)
15 Defendants.)
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The parties herein, by their undersigned counsel, hereby stipulate and agree as follows, and respectfully request that the Court so order:

WHEREAS, on September 18, 2006, the Clerk entered a Minute Order Regarding Initial Disclosures and Joint Status Report, setting deadlines for a conference under Rule 26(f) of the Federal Rules of Civil Procedure, for the service of initial disclosures under Rule 26(a), and for the filing of a Joint Status Report and Discovery Plan (docket #23);

WHEREAS, plaintiffs filed a motion for preliminary injunction on November 8, 2006 (docket #35), and a motion for expedited discovery on November 9, 2006 (docket #39);

WHEREAS, on November 21, 2006, the parties filed a stipulation and proposed order proposing (1) dates for the discovery responses and depositions sought in the motion for expedited discovery, (2) a deadline for defendants to respond to the amended complaint, and (3) a

Stipulation and Order to Clarify Schedule

U.S. Department of Justice, Rm.

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Case No. 3:06-cv-05520-FDB - page 1

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1 schedule for briefing on plaintiffs' motion for preliminary injunction and on any dispositive
2 motions to be filed by the defendants (docket #42);

3 AND WHEREAS, the Court entered an Order pursuant to such stipulation on November
4 27, 2006 (docket #44);

5 NOW THEREFORE, the parties submit that the Order of November 27, 2006 (docket
6 #44), implicitly vacated the deadlines set forth in the earlier Minute Order Regarding Initial
7 Disclosures and Joint Status Report (docket #23), and that, in any event, the actions called for by
8 the Minute Order would be unnecessary until after completion of the procedures outlined in the
9 Court's Order of November 27, 2006. The parties submit, however, that an order should be
10 entered explicitly vacating the deadlines in the Minute Order.

11 Respectfully submitted,

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22 Case No. 3:06-cv-05520-FDB - page 2

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16 ORDER

17 Pursuant to this Court's Order of November 27, 2006 (docket #44), and the foregoing
18 stipulation of the parties, IT IS HEREBY ORDERED that the deadlines stated in the Minute
19 Order Regarding Initial Disclosures and Joint Status Report (docket #23) should be, and the same
20 hereby are, VACATED.

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22 DATED this 21st day of December, 2006.

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FRANKLIN D. BURGESS
UNITED STATES DISTRICT JUDGE

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Case No. 3:06-cv-05520-FDB - page 3